

A Resolution

NO. 3644-08-2008

RE-APPOINTMENT OF THE HEARING OFFICER IN THE PARKING VIOLATIONS BUREAU AND DESIGNATION OF THE HEARING OFFICER TO CONDUCT HEARINGS AND APPEALS UNDER CHAPTERS 10, 12.5, 22 AND 34 OF THE CITY CODE, AND TO PERFORM OTHER ASSIGNED DUTIES.

WHEREAS, Section 10-17 of the Code of the City of Fort Worth, Ordinance No. 13943, provides for the appointment of one or more hearing officers to adjudicate cases involving parking, stopping or standing of vehicles, and the hearing officer shall serve a two-year term from the date of appointment.

WHEREAS, on August 15, 2006, in M&C G-15349, the City Council appointed David Westen as the Hearing Officer and as the City Council's designee to conduct hearings pursuant to Chapter 34 of the City Code.

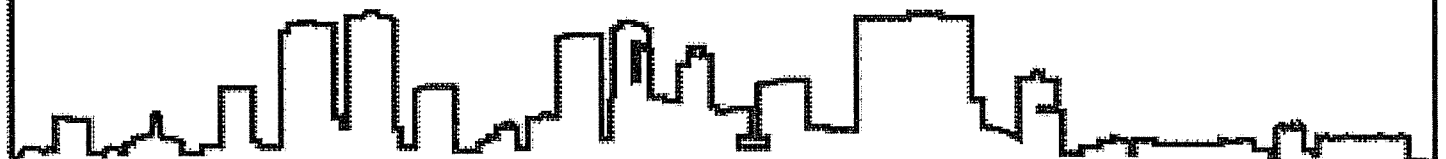
WHEREAS, Chapter 10, Article II, of the City Code provides that the hearing officer conducts boot hearings.

WHEREAS, Chapter 12.5, Article VIII, of the City Code provides that the hearing officer may hear formal appeals regarding solid waste and recycling decisions of the Director of Environmental Management or his designee.

WHEREAS, Chapter 22, Article VI, of the City Code provides that the hearing officer oversees the Parking Violations Bureau and has original jurisdiction over cases involving violation of city ordinances governing the parking, stopping, or standing of vehicles.

WHEREAS, Chapter 22, Article IX, of the City Code provides that the hearing officer conducts hearings involving violations of city ordinances governing abandoned and junked vehicles.

WHEREAS, Chapter 34, Article VI, of the City Code provides that City Council may designate a representative to hear appeals from denial, suspension, or revocation of a vehicle for hire driver's permit, and to hear appeals from the denial of a company's application, renewal or suspension of the grant of privilege to operate vehicles for hire.



CITY OF FORT WORTH

RESOLUTION NO. 3644-08-2008

WHEREAS, it is recommended that the City Council re-appoint David Westen as Hearing Officer of the Parking Violations Bureau for a two-year term, with the hearing officer's annual salary set at \$47,299.00, and appoint the Hearing Officer as the City Council's designee to conduct hearings and appeals pursuant to Chapters 10, 12.5, 22 and 34 of the City Code, and to perform other duties assigned by the City Manager or his designee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

The City Council hereby re-appoints David Westen as Hearing Officer in the Parking Violations Bureau to serve for a two-year term and appoints the Hearing Officer as the City Council's designee to conduct hearings and appeals pursuant to Chapters 10, 12.5, 22 and 34 of the City Code, and to perform other duties assigned by the City Manager or his designee.

Adopted this 12th day of August 2008.

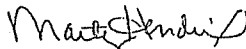
ATTEST:

By: 

Marty Hendrix, City Secretary

APPROVED
CITY COUNCIL

AUG 12 2008


City Secretary of the
City of Fort Worth, Texas



CITY OF FORT WORTH

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 8/12/2008 - Res. No. 3644-08-2008

DATE: Tuesday, August 12, 2008

LOG NAME: 38PARKING

REFERENCE NO.: **G-16230

SUBJECT:

Adopt a Resolution Re-Appointing David Westen as the Hearing Officer in and for the City of Fort Worth Parking Violations Bureau to Conduct Hearings and Appeals Pursuant to Chapters 10, 12.5, 22 and 34 of the Code of the City of Fort Worth and to Perform Other Assigned Duties

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution re-appointing David Westen as the Hearing Officer for the Fort Worth Parking Violations Bureau for a two year term effective August 16, 2008, and continue as the City Council's designee to conduct hearings and appeals pursuant to Chapters 10, 12.5, 22 and 34 of the Code of the City of Fort Worth, and to perform other duties assigned by the City Manager or his designee.

DISCUSSION:

Section 10.17 of the City Code specifies that the Hearing Officer for the City of Fort Worth Parking Violations Bureau shall be appointed by the City Council for terms of two years and shall report to and be under the administrative oversight of the Director of Municipal Court Services. The appointment of David Westen as the Hearing Officer was approved by the City Council, M&C G-15349, for a two-year term effective August 16, 2006. His current term expires August 15, 2008, and re-appointment is necessary to continue the Parking Violations Bureau operations, as well as continuation as the City Council's designee to conduct hearings and appeals under Chapter 10, 12.5, 22 and 34 of the Code of the City of Fort Worth (1986), as amended, and to perform other duties assigned by the City Manager or his designee.

As Hearing Officer, David Westen:

1. Conducts boot hearings under Chapter 10, Article II, of the City Code,
2. Conducts formal appeal hearings regarding solid waste and recycling decisions of the Director of Environmental Management or his designee under Chapter 12.5, Article VIII, of the City Code,
3. Oversees the Parking Violations Bureau and has original jurisdiction over cases involving violations of city ordinances governing the parking, stopping, or standing of vehicles, as set out in Chapter 22, Article VI, of the City Code,
4. Conducts hearings involving violations of city ordinances governing abandoned and junked vehicles, as set out in Chapter 22, Article IX, of the City Code, and
5. Hears appeals from the denial, suspension, or revocation of a vehicle for hire driver's permit, and hears appeals from the denial of a company's application, renewal or suspension of the grant of privilege to operate vehicles for hire, as provided in Chapter 34, Article VI, of the City Code.

Resolution No. 3292-12-2005, approved on December 6, 2005, appointed the Hearing Officer as the City Council's designee to conduct hearings pursuant to Chapter 34 of the City Code. The attached Resolution appoints the Hearing Officer for the Fort Worth Parking Violations Bureau to Conduct Hearings and Appeals pursuant to Chapters 10, 12.5, 22, and Chapter 34, and to perform other duties assigned by the City Manager or his designee.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that this action will have no material effect on City funds in the current fiscal year.

TO Fund/Account/Centers

FROM Fund/Account/Centers

Submitted for City Manager's Office by:

Charles Daniels (6183)

Originating Department Head:

Deidra Emerson (6711)

Additional Information Contact:

Deidra Emerson (6711)

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